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5 Attorneys for Defendant
6 California Physicians' Service,
7 dba Blue Shield Of California

8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 RICHARD P. WELLS, For Himself And
12 In His Representative Capacity As
13 Administrator of the Estate of Marilyn
14 Wells, Decedent, and As Guardian of His
15 Minor Children,

16 Plaintiff,

17 vs.

18 CALIFORNIA PHYSICIANS' SERVICE,
19 dba BLUE SHIELD OF CALIFORNIA,

Defendants.

Case No. C 05 1229 CRB

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE;
[PROPOSED] ORDER THEREON**

1 WHEREAS, a Case Management Conference in the above-captioned matter is currently
2 set for December 9, 2005.

3 WHEREAS, a Settlement Conference in this matter was previously set for November 21,
4 2005, before Magistrate Judge Spero.

5 WHEREAS, the parties previously agreed, in conjunction with Judge Spero, to continue
6 the Settlement Conference in order to provide the parties with an opportunity to engage in
7 preliminary discussions and an exchange of information in advance of the Settlement Conference.

8 WHEREAS the parties are informed and believe that Judge Spero discussed this issue
9 with this Court prior to continuing the Settlement Conference.

10 WHEREAS the Settlement Conference has been rescheduled for February 9, 2006, at 9:30
11 a.m., with updated Settlement Conference Briefs to be lodged with Judge Spero no later than
12 February 2, 2006.

13 WHEREAS the parties believe that the Case Management Conference in this matter will
14 be most productive following the Settlement Conference.

15 NOW, THEREFORE, IT IS HEREBY STIPULATED and agreed by Plaintiff and
16 Defendant, through their respective attorneys of record, that the Case Management Conference in
17 this action, currently set for December 9, 2005, be continued to February 17, 2006, or as soon
18 thereafter as the Court may deem appropriate.

19 Plaintiff and Defendant further stipulate and agree that this Stipulation may be signed in
20 counterparts, and facsimile signatures shall have the same force and effect as originals.

21 This request is not being made for the purposes of delay.

1 IT IS SO STIPULATED.
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MANATT, PHELPS & PHILLIPS, LLP
GREGORY N. PIMSTONE
ANDREW L. SATENBERG

6 Dated: December 7, 2005
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By: s/ Andrew L. Satenberg

Andrew L. Satenberg
Attorneys for Defendant
CALIFORNIA PHYSICIANS' SERVICE,
dba BLUE SHIELD OF CALIFORNIA

10
11 Dated: December 7, 2005
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BENJAMIN FRANKLIN LEGAL
FOUNDATION

By: s/ James B. Rhoads

James B. Rhoads
Attorney for Plaintiff
RICHARD P. WELLS

14
15 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures,*
16 *Andrew L. Satenberg hereby attests that concurrence in the filing of this document has been*
17 *obtained.*

18
19 **ORDER**

20 Having reviewed the Stipulation of the parties, and good cause appearing:

21 IT IS HEREBY ORDERED THAT the Case Management Conference in this action,
22 currently set for December 9, 2005, be continued to February 17, 2006 at 8:30 a.m.

23 Date: December 08, 2005
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STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE - CASE NO. C05-1229 CRB

